

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY D/B/A	)	
AMERICAN ELECTRIC POWER	)	
_____	)	CASE NO. 96-597
	)	
FAILURE TO COMPLY WITH	)	
COMMISSION REGULATIONS 807 KAR	)	
5:006, SECTION 26(1)(A) AND 807 KAR	)	
5:041, SECTION 3(1)	)	

O R D E R

Kentucky Power Company, d/b/a American Electric Power ("Kentucky Power"), is a Kentucky corporation engaged in the generation, transmission and distribution of electricity to the public for compensation for lights, heat, power and other uses and is a utility subject to Commission jurisdiction. KRS 278.010.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated 807 KAR 5:006, Section 26(1)(a), which requires utilities to notify the Commission within two hours following discovery of any utility-related accident which results in death or shock or burn requiring medical treatment or a similar medical facility. In addition, the Commission promulgated 807 KAR 5:041, Section 3(1), which requires utility facilities to be maintained in accordance with the National Electrical Safety Code, 1990 Edition ("NESC"). The NESC, Section 21, 218A1, requires the trimming of trees which may interfere with ungrounded supply conductors. Commission Staff submitted to the Commission a Utility Accident Investigation Report dated October 28, 1996,

attached hereto as Appendix A, which alleges that on July 15, 1996, Ivan Johnson was walking through a yard in Yellow Flats, Weeksbury, Kentucky, when he lifted a metal clothes line with his right hand. The clothes line was attached to a tree which was in contact with 120/240 Volt secondary distribution lines. Mr. Johnson suffered burns on his right hand and right foot and was hospitalized overnight. The Utility Accident Investigation Report notes two probable violations of Commission regulations: 1) 807 KAR 5:006, Section 26(1)(a), due to the utility's failure to notify the Commission within two hours of discovering an accident resulting in burns requiring medical treatment at a hospital; and 2) 807 KAR 5:041, Section 3(1), due to a violation of the NESC by failing to trim a tree which allowed the tree to come in contact with an ungrounded supply conductor.

The Commission, on its own motion, HEREBY ORDERS that:

1. Kentucky Power shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.
2. Kentucky Power shall appear on February 13, 1997, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence concerning the incident which is the subject of the Utility Accident Investigation Report, specifically the alleged violations of Commission regulations 807 KAR 5:006, Section 26(1)(a), and 807 KAR 5:041, Section 3(1), and to show cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for its alleged failure to comply with the aforementioned Commission regulations.

3. The Utility Accident Investigation Report dated October 28, 1996 is hereby made a part of the record of this case.

4. Any requests for an informal conference with the Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 19th day of December, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt  
Chairman

E. J. [Signature]  
Vice Chairman

B. J. Helton  
Commissioner

ATTEST:

Don Mills  
Executive Director

October 28, 1996

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## UTILITY ACCIDENT INVESTIGATION REPORT

<b>Utility:</b>	American Electric Power (Pikeville Division)			
<b>Reported By:</b>	Bill England - Operations Specialist			
<b>Dates &amp; Times</b>				
<b>Accident Occurred:</b>	7/15/96 - Approx. 1:10 p.m.			
<b>Utility Notified:</b>	7/15/96 - 6:19 p.m.			
<b>PSC Notified:</b>	7/16/96 - 8:23 a.m.			
<b>Investigated:</b>	7/19/96			
<b>Written Report Rcvd:</b>	7/22/96			
<b>Location of Accident:</b>	Yellow Flats, Weeksbury, Floyd County, Kentucky			
<b>Description of Accident:</b>	Mr. Ivan Johnson was walking across the yard of Mrs. Lucille Johnson. Mr. Johnson lifted the metal clothes line with his right hand. Mr. Johnson said he felt a shock and was burned on his right hand and right foot. At the time of the accident it was raining and tree limbs from the tree that the clothesline was attached made contact with the 120/240 volt secondaries.			
<b>Victims:</b>				
<b>Name:</b>	Mr. Ivan Johnson	<b>Fatal:</b>	No	<b>Age:</b> 62
<b>Addr./Empl.:</b>	Yellow Flats, Weeksbury, Kentucky			
<b>Injuries:</b>	Shock and burns to right hand and right foot.			
<b>Witnesses:</b>	<b>Name</b>	<b>Address/Employment</b>		
	Mrs. Lucille Johnson	Yellow Flats, Weeksbury, Kentucky		
<b>Sources of Information:</b>	<b>Name</b>	<b>Address/Employment</b>		
	Mr. Bill England	American Electric Power, Operations Specialist		
<b>Probable Violations:</b>	1. American Electric Power was in probable violation of 807 KAR 5:006, Section 26(a)(2), Reporting of Accidents  2. American Electric Power was in probable violation of NESC Edition (1990), Section 21. General Requirements 218. Tree Trimming A. General (1).			

Line Clearances At Point of Accident:	Measured	Minimum Allowed by NESC	Applicable NESC Edition <sup>1</sup>	Volt.	Constr. Date
Phase:	28'-4"	14'-6"	Table 232-1	7200	6/27/91
Neutral:	23'-11"	9'-6"	Table 232-1	N/A	6/27/91
Top Secondary:	21'-8"	12'-6"	Table 232-1	120	6/27/91
Bottom Secondary:	20'-2"	12'-6"	Table 232-1	120	6/27/91
Date of Measurement:	July 19, 1996				
Approximate Temp.:	During Investigation - Approximately 84 degrees				
Measurements Made By:	Bill England - American Electric Power Robert Ueltschi - Public Service Commission				
Investigated By:	Robert Ueltschi				
Signed:	<i>Robert Ueltschi</i>				

- Attachments
- A. AEP Kentucky Region Accident Report
  - B. AEP Trouble Ticket
  - C. AEP Sketch of Accident Site
  - D. Photographs of Accident Site
  - E. Letter of Acknowledgement (PSC Primary Contact List)

<sup>1</sup> Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were last constructed or modified would apply.

## **Attachment A**

### **AEP Kentucky Region Accident Report**

BILL ENGLAND  
OPERATIONS SPECIALIST  
AEP KENTUCKY REGION  
3249 NORTH MAYO TRAIL  
PIKEVILLE KY. 41501



July 19, 1996

RECEIVED

JUL 22 1996

Robert Ueltschi  
Public Service Commission  
Frankfort, Kentucky 40620

DIVISION OF UTILITY  
ENGINEERING & SERVICES

On July 15, 1996 at 6:19 pm, our call center received a report of an electrical contact involving Ivan Johnson at Weeksbury, Ky. The Pikeville dispatcher relayed this information to Greg Justice, general servicer, in the Floyd county area, at 6:27 pm. Charles Perry, dispatcher at Coalrun Service Center, relayed this to me at 6:30 pm. I attempted to contact members of the commission at their home numbers in this order : Bob Ueltschi, John Land , Elie El-Rouaiheb , Martha Morton and then Claude G. Rhoer Jr. and received no answer. I then called Martha back and left a message on her answering machine at 6:40 pm. detailing the accident with the information I had , and that I would call the office the following day . I called the P.S.C. the morning of the 16, and Martha returned my call at 9:10 am. She informed me at this time we had the old home listing for her and Bob. I now have and updated listing. Bob Ueltschi called me and we set a meeting time for July 19, at 8:00 am.

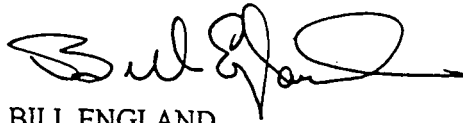
I then proceeded to the site at Weeksbury arriving at 7:50 pm. I met Greg Justice and we discussed what he had found when he arrived at the site. He did not change any thing at the site before I arrived . I took 6 pictures of a 12 exposure roll of 35 mm film. The rest of the film was exposed . We measured for voltage on the metal clothes line where the reported contact was made, and measured 0.5 volts. I talked with Lucille Johnson and she gave me this description of the accident : It was raining and at app. 1:10 pm, he walked from his sister-in-laws trailer, crossing the yard and lifted a metal clothes line with his right hand . At this time he felt a severe shock and was burned on his hand and right foot . He continued on to his house and called a neighbor to take him to the hospital . He was taken to Our Lady Of The Way Hospital in

I attempted to contact Mr. Johnson on 7-16 and 7-17, and finally talked with him on 7-18 at 2:10 pm. He reported he was released from the hospital on 7-16 at noon. The Dr. told him to rest and return in 10 days for a follow-up visit. He said he was still feeling weak. Mr. Johnson is a 62 year old white male.

Bob Ueltschi arrived at Coalrun Service Center on July 19, and we had a discussion of the accident. We then traveled to the site and took measurements of the conductors and the distance the tree was from the line. A copy of these measurements, trouble ticket, map, telephone numbers, and a sketch are attached . We talked with Mrs. Johnson and she stated Ivan had returned to the Dr. because he was having problems sleeping.

Also I reviewed the record on the last pole and line inspection. The last date was July 27, 1994.

Robert Ueltschi  
Page 2  
July 19, 1996

A handwritten signature in black ink, appearing to read "Bill England", with a long horizontal stroke extending to the right.

BILL ENGLAND  
OPERATIONS SPECIALIST

Enclosure

cc: Fred Long  
Terry Hall  
Valarie Matters



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**Attachment B**  
**AEP Trouble Ticket**

TDIR NO: 0 T R O U B L E T I C K E T TICKET NO: SI2224

TAKEN BY: BGR \*\*\*\*\* FIELD COPY \*\*\*\*\* OUTAGE NO: .....

NAME: JOHNSON B I STA-CKT: 4129-01  
ADDR: YELLOW FLT STA-NAME: WEEKSBURY  
CITY: WEEKSBURY KY 00000-0000 CKT-NAME: DISTRIBUT  
METER: 00006 0 16211045 CUST ID: 3411-17-10092-0  
POLES: SVC: 340212000037 XFMR: 3402120000218

CALLER: JOHNSON B I . PHONE: PR: (606) 452-2604  
RETURN CALL: Y CB: (606) 452-2604  
REPORTED: 07/15/96 18:19 CALL #: 1

PRBL: OTHER - LINES IN TREES CAUSED CLOSE LINE TO SHOCK CUSTOMER  
EQUIP:

PROB: TRBC: CAUSE NOT REPORTED  
INSTRUCTIONS: WIRES IN TREES POWER ON CLOSE LINE SHOCKED MR JOHNSON HAD TO BE  
TAKEN TO HOSPITAL//PLEASE SEND SOMEONE OUT TO CHECK LINES

DIRECTIONS: MOUTH OF YELLOW FLAT HOUSE IS WHITE AND BLACK ON CALB FRK  
CY10/FTE03/SEQ330

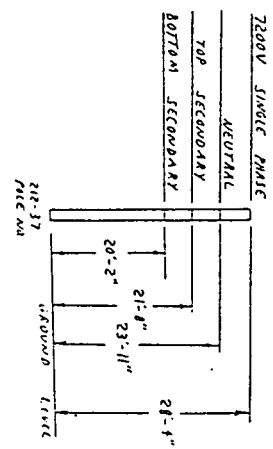
CREW: G. Twifin 18:27 RADIO: DATE: TIME: BY:


CALL BACK DATE: TIME:

## **Attachment C**

**AEP Sketch of Accident Site**

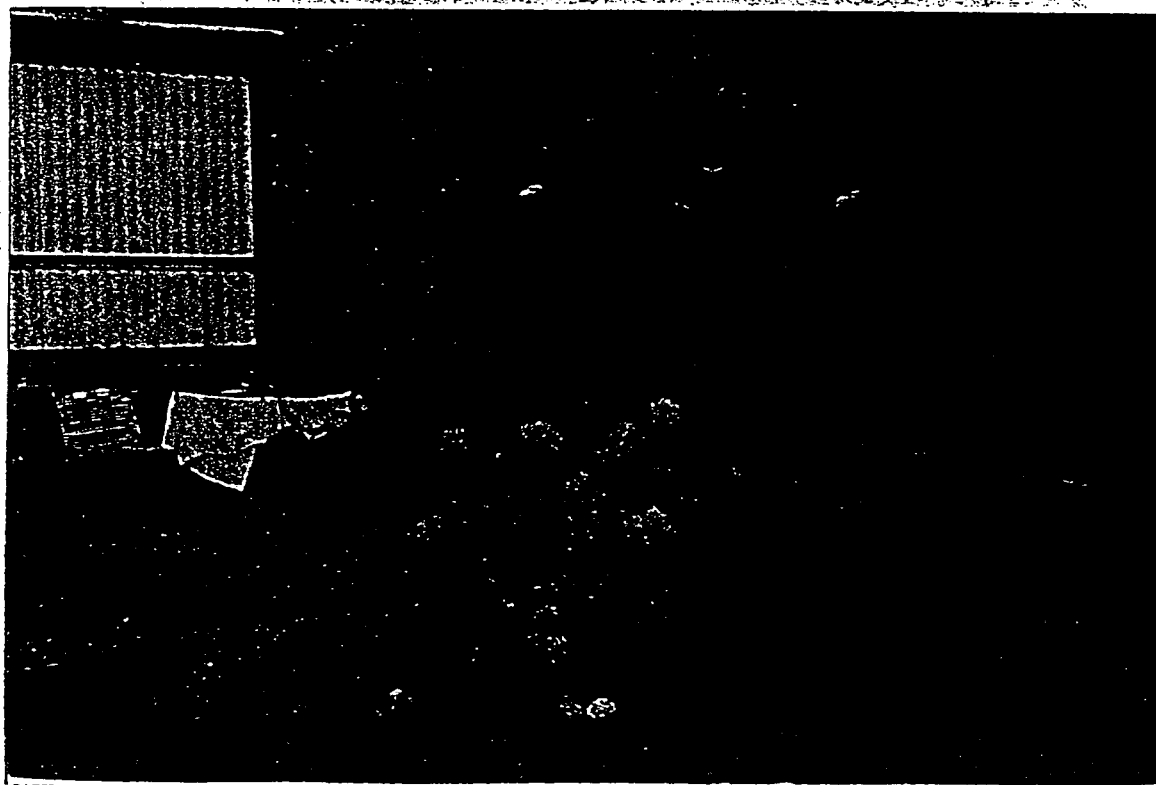
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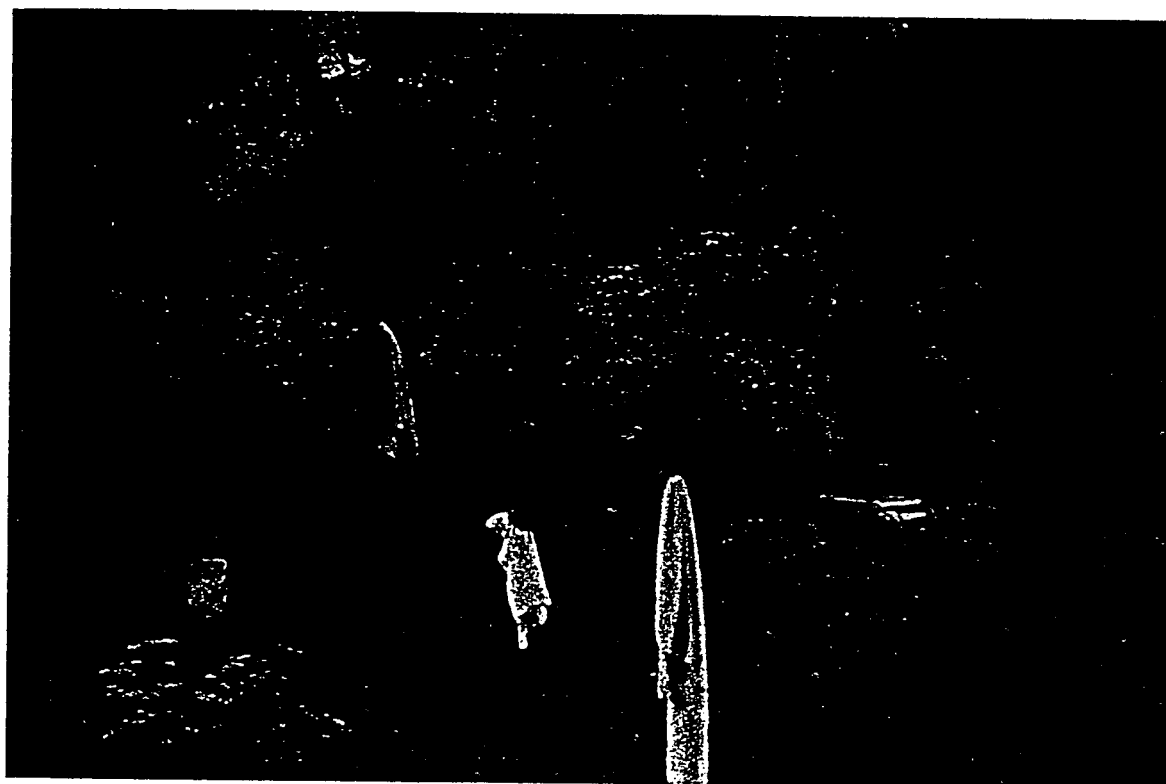


<p>— NOTE —</p> <p><i>NOT TO SCALE</i></p>		<p><b>KENTUCKY POWER</b>           KENTUCKY POWER          ELECTRICITY DELIVERY</p>	
<p>ERC Plot No. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Loc. Plot No. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>LY Code No. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Description _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>W.R. No. _____</p> <p>W.O. No. _____</p> <p>Survey Index _____</p> <p>Survey Tr. _____</p> <p>Loc. Pl. _____</p>	<p>Scale _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

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**Attachment D**  
**Photographs of Accident Site**









## **Attachment E**

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### **Letter of Acknowledgement (PSC Primary Contact List)**

Kentucky Power Company  
1701 Central Avenue  
P.O. Box 1428  
Ashland, Kentucky 41105-1428  
606-327-1111



Claude G. Rhorer, Jr., Director  
Division of Engineering and Services  
Public Service Commission  
730 Schenkel Lane  
PO Box 615  
Frankfort, KY 40602

RECEIVED

AUG 28 1995

DIVISION OF UTILITY  
ENGINEERING & SERVICES

August 24, 1995

Dear Mr. Rhorer:

This letter is to acknowledge receipt of your letter of August 8, 1995 concerning 807 KAR 5.006, Section 26.

In reviewing Section 26, it is our understanding that reporting of accidents, property damage or loss of service, may be accomplished "by telephone or electronic mail." However, your cover letter indicates use of electronic mail (voice mailbox or Fax No.) during "non-office hours" is not considered "appropriate notification." Based upon our understanding of Section 26, we intend to notify the commission by telephone and/or electronic mail during and outside of normal business hours in order to comply with the two-hour reporting requirement. Our use of electronic mail during "non-office" hours will be limited to those occasions when we are unable to reach a Commission representative within the two-hour reporting time frame.

Sincerely,

F. K. Long  
Safety and Labor Relations Manager

C

c: E. K. Wagner  
T. Hall



COMMONWEALTH OF KENTUCKY  
PUBLIC SERVICE COMMISSION  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

August 8, 1995

TO ALL JURISDICTIONAL ELECTRIC UTILITIES

The Commission's Regulation 807 KAR 5:006, Section 26, requires each utility to notify the Commission of any utility related accident which results in serious injury or under other specified circumstances. Notice of reportable accidents must be provided to the Commission within two hours of discovery by the utility. A summary written report on all reportable accidents shall be submitted to and received by the Commission within seven calendar days of the date of the accident. A copy of the subject regulation is attached for your convenience.

The following list of names and telephone numbers replaces an earlier listing of Commission Personnel and telephone numbers.

<u>PSC Primary Contact</u>	<u>Business Number</u>	<u>Residence</u>
Martha Morton	(502) 564-3940 Ext. 421	(606) 299-0568
Bob Ueltschi	(502) 564-3940 Ext. 424	(606) 269-8374
John Land	(502) 564-3940 Ext. 423	(502) 845-7020
Elie El-Rouaiheb	(502) 564-3940 Ext. 422	(502) 747-8838

In the event the primary contact person is not available, I am the alternate contact person and may be reached during business hours at (502) 564-7488. My residence telephone number is (606) 263-4092. Information may also be sent to the Commission's offices on Fax number (502) 564-1582. However, notification to the Commission's voice mailbox or Fax number during non-office hours will not be considered proper notification.

You are requested to acknowledge receipt of this letter within 20 days of this date. Further, you should disseminate this information to appropriate personnel within your organization.

Sincerely,

Claude G. Rhorer, Jr., Director  
Division of Engineering and Services

CGR:MMM:rl

Attachment